

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**SPECIAL SESSION
January 11, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Special Session at 1:00 p.m., January 11, 2005 in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4, Don Stapley, District 2, Andrew Kunasek, District 3 and Mary Rose Wilcox, District 5 (entered late). Absent: Fulton Brock, District 1. Also present: Fran McCarroll, Clerk of the Board; Monica Farine, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

Chairman Wilson called the meeting to order.

PRESENTATION REGARDING FEDERAL DIRECTED APPROPRIATION ISSUES

Chris Cushing, Commonwealth Group, presented an overview of the work he and the Commonwealth Group had completed over the past year and a list of upcoming Federal Issues in Washington relative to Maricopa County and its citizens. He will be meeting with each of the Supervisors and a number of County departments to assess needs and formulate the 2005 agenda. (ADM1650)

Mr. Cushing explained that Maricopa County will receive 6 million dollars for funding for NCRS (National Conservation Resource Service) dam rehabilitation of the allocated 27.5 million for fiscal year 2005 and similar funding the next few years. At a recent meeting in Washington regarding wastewater funding Supervisor Stapley suggested linking the two funding sources and promoting this issue at NACo and the Large Urban County Caucus. McMicken Dam is tentatively slated for a small earmark (\$75,000) in the conference report. This year, additional directed appropriations "earmark" in an Army Corps funding request will be made. Chairman Wilson raised concern for the aging dams and problems with the State in relation to safety and risk factors.

~ Supervisor Wilcox entered the meeting ~

These dams, built over 50 years ago as an agricultural program, had an expected service life of 50 years. They now protect residential communities instead of crops and present a potential safety issue. Mr. Cushing explained that his goal would be to increase the \$27.5 million funding by \$10 million next year. He felt this was achievable because of Maricopa County's placement now in the allocation for dam projects.

The State's Congressional delegation is always an important resource. Both Mr. Cushing and Supervisor Stapley agreed that several members including Congressmen Hayworth, Shadegg and Renzi, and Senator McCain had all been instrumental in recent lobbying efforts. However, it is also important to work with National Associations, especially in low areas where our delegation members are not well positioned.

Homeland Security First Responder Funding was cut \$400 million in Arizona. This amounted to a decrease from \$10.35 to \$7.58 per capita. The funding allotment goes to the State and they may keep 20 percent, passing the remaining 80 percent along to the Cities and Counties. Better coordination with the State is crucial as the State is on record in the press in Washington saying they are developing regional distribution systems for Homeland Security because Counties in Arizona politicize the process of distribution of Homeland Security Funds. Mr. Cushing said in order to improve funding and prevent further cuts, the following is necessary:

- Complete an assessment of inoperability needs. Include critical infrastructure, threats, threat reporting and population density centers;

- Update on critical infrastructure inventory including power plants, Air Force bases, and highway systems from Mexico to Canada;
- Create a statewide reporting structure for police, fire, and other related agencies to report all suspicious activities through their chains of command, to a centralized point;
- Compile a full report on communications and disaster recovery programs for computers; and
- Focus communication effort with the Washington delegation on Congressman Shadegg who is the Chairman of the First Responder Emergency Preparedness Subcommittee.

The Emergency Management Performance Grant Program was again funded at 180 million dollars but a related article in the Arizona Republic erred in reporting the Homeland Security Program was a reimbursement program where the County or State expends funds first and then seeks reimbursement from the federal government. That changed in the most recent Homeland Security Bill and an exemption of the Federal Cash Management Act meant the State could get the money from Homeland Security and pass it down to Counties and Cities. The County could then hold that money and decide to purchase the equipment needed or use the money for training or overtime for the sheriff's deputies, firefighters, and the like.

Turning to another topic, Mr. Cushing said cuts were made in Human Services, housing issues, and block grant funding. The Community Services Block Grant is flat funded. However, there is a \$250 million earmark for homeless programs, specifically for medical equipment. Mr. Cushing recommended dedicating that funding to the homeless campus subject to the Board's approval. This is a dollar-for-dollar contribution and it is appropriate federal funding for County funding in terms of health care equipment, dental equipment and other needs for the homeless.

Mr. Cushing proceeded to projects related to transportation. Reauthorization of T-21 funding proves to be a contentious issue in Washington. Supervisor Stapley said T-21 can be looked at to fund a pilot program. A similar opportunity was missed five or six years ago for lack of applying. Supervisor Stapley felt Maricopa County should not be missing opportunities in the reauthorization process and recommended the use of Maricopa County Department of Transportation's (MCDOT) staff to provide reports and lobbying efforts. Mr. Cushing said since the program was regional and federally funded it could serve as enhancement to the prop 400 plan which just passed. The cities would be happy and may even coordinate with the County. Supervisor Stapley noted this window would only be open this year and it would be necessary to be prepared to seek it now. Supervisor Stapley and Mr. Cushing met with members of the delegation, but the Arizona delegation is not well positioned for several reasons to be strong advocates for earmarked funding within that program. Another issue drawing attention is DUI Court funding. Barbara Broderick, Director of Adult Probation, has been talking about expanding the use of currently available funds. There are federal restrictions would need to be relaxed in order for this to be accomplished.

Supervisor Stapley wants to see the "donor-state-minimum-return" elevated and spoke with Congressman Flake who elevated this issue this during his campaign. In May the real debate will be if Senator McCain can be successful on the conference committee to increase Arizona's funding to a higher level than the 91 cents on the dollar that is only core transportation funding. None of the earmarks are part of the formula so they are taken off the top. Consequently, the County is really getting less on the dollar in return for the monies paid in gas tax to the federal government than it appears. Even though equity for fast growing states is given consideration, Arizona gets hurt because this formula is based on populations of five years ago. Arizona is growing so fast, it gets shortchanged again and again. Mr. Cushing said the goal of the delegation is to obtain 95 percent funding and get 95 cents back on the

dollar on this Transportation Authorization Bill. Congressman Pastor is on the Transportation Appropriations Committee, the largest committee in the House.

Mr. Cushing said they were able to obtain an additional \$250,000 for the correctional Telehealth Program. Senator Kyl was very helpful in securing funding for the homeless campus as well as the Juvenile Accountability Incentive Block Grant that had been zeroed out previously. However a number of other funding sources have been severally cut or eliminated. The new Justice Assistance Program has been created replacing the Local Law Enforcement Block Grant Program. The Byrne Grant, a State administered grant named after a fallen officer, was also cut. Many of the same type of activities will be funded, but maybe not at current levels.

Supervisor Wilcox stressed the importance of help from St. Vincent DePaul in the development of a new prisoner re-entry program where religious groups help an inmate. Mr. Cushing said it was new this year as well as another program that Supervisor Stapley worked on that was signed into law October 30th to offer specialized treatment services to the homeless. The authorization could continue in future years, as this is a national program and Supervisor Stapley mentioned other Senators and Congressmen might assist. A program in the formative steps will be worked on with NACo to benefit those incarcerated in jail that have not gone to court to quickly restart their benefits upon release from jail.

Arizona Supreme Court has entered into a program, which garnishes tax returns to pay unpaid Court fines.

Mr. Cushing said his group had sent information to the County regarding adult drug courts, bio-terror training, consolidated health care, forensic science improvement, mental health, and continued care of the homeless. They work diligently identify grants the County would be well positioned and submit the applications before the deadlines.

Mr. Cushing said the Public Health Department sought \$750,000 of discretionary CDC (Center for Disease Control) money with the assistance of Congressman Hayworth for the West Nile Virus Issue.

Mr. Cushing will meet with the Board of Supervisors regarding Military Base Assistance for Luke. While others have been working on this issue, he did coordinate in response to the gas shortage issue.

Mr. Cushing explained that Arizona is part of the Ninth Circuit Court, which meets in San Francisco. Especially with regard to environmental issues, it is becoming clear that Arizona probably has more commonality with other states than California, which is also part of the Ninth Circuit Court. Supervisor Kunacek asked Mr. Cushing to provide him with some data regarding comparisons of the Ninth Circuit with other courts regarding delay of cases and number of cases overturned.

In conclusion, Mr. Cushing did a brief overview of several other initiatives including the telecommunication rewrite and a pilot program regarding pet euthanasia. He also mentioned issues more pertinent to border states such as car jackings and the guest worker visa plan. Because most of these issues are not unique to Arizona, they are best tackled in a cooperative effort with associations like NACo. As the County is able to capture these federal dollars for mandates services, local revenues can be more effectively utilized.

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MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Max W. Wilson, Chairman of the Board

Fran McCarroll, Clerk of the Board